



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER

61 FORSYTH STREET

ATLANTA, GEORGIA 30303-8960

FEB 18 2014

CERTIFIED MAIL 7012 1010 0001 8097 0269
RETURN RECEIPT REQUESTED

Collier County, Florida
Attn: Dr. G. George Yilmaz
Administrator, Public Utilities Division
3301 East Tamiami Trail
Naples, Florida 34112

Re: Notice of Violation
Collier County, Florida
National Pollutant Discharge Elimination System Permit Nos.: FL0141399 and FL0141356
Collier County North and South Wastewater Treatment Plants

Dear Dr. Yilmaz:

The purpose of this letter is to advise Collier County (the County) that the United States Environmental Protection Agency Region 4 has reviewed the information submitted by the County on November 13, 2013, in response to the EPA's information request letter issued on September 27, 2013, pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318.

Based upon review of the information submitted, the EPA has determined that the County has violated the CWA as follows:

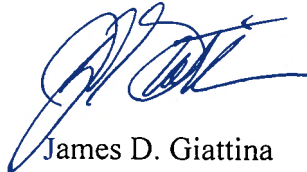
During the period of September 10, 2008, to September 17, 2013, the County had 11 Sanitary Sewer Overflows (SSO) totaling 267,544 gallons of untreated sewage that discharged from the County's Wastewater Collection and Transmission System (WCTS) to navigable waters of the United States as defined by Section 502 of the CWA, 33 U.S.C. § 1362. The County also had an additional 156 SSOs totaling 346,879 gallons of untreated sewage, for a total of 167 SSOs that violated Section IX.7 of the County's National Pollutant Discharge Elimination System (NPDES) Permit, which require that the WCTSs be properly operated and maintained. Such SSOs were not authorized by an NPDES permit and therefore, are violations of Section 301(a) of the CWA, 33 U.S.C. § 1311(a).

The EPA has decided not to initiate an enforcement action at this time. However, the County's future progress in developing and implementing written Management, Operations and Maintenance (MOM) programs, continued rehabilitation of the WCTSs and progress towards eliminating SSOs will determine if future EPA enforcement actions are warranted. The EPA will monitor the County's progress in developing and implementing MOM programs and WCTS rehabilitation over the next two years.

Until compliance with the CWA is achieved, the County is considered to be in violation of the CWA and subject to enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. This Section provides for the issuance of administrative penalty and/or compliance orders and the initiation of civil and/or criminal actions.

If you have any questions regarding this Notice of Violation, please contact Ms. Sara Schiff, of my staff, at (404) 562-9870 or by email at schiff.sara@epa.gov, or you may address written correspondence to Ms. Sara Schiff at the above address on the letterhead.

Sincerely,



James D. Giattina
Director
Water Protection Division

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Ms. Beth Johnssen
Collier County